

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MURASHEA "MIKE" BOVELL,

Plaintiff,

15 Civ. 08594 (CS)

-against-

**DECLARATION OF
AMY L. BELLANTONI**

CITY OF MOUNT VERNON, New York,
Commissioner TERRANCE RAYNOR,
Individually and in his Official Capacity,
Deputy Commissioner RICHARD BURKE,
Individually and in his Official Capacity,
Captain MICHAEL GOLDMAN, Individually
and in his Official Capacity, Sergeant ROBERT
WUTTKE, Lieutenant PAUL NAWROCKI,
Individually and in his Official Capacity,
and "JOHN DOES 1-10"

Defendants.
-----X

AMY L. BELLANTONI, under the penalty of perjury, herein declares pursuant to 28
U.S.C. §1746, that:

1. I am an attorney duly admitted to practice before the United States District Court
for the Southern District of New York, and that I am the attorney for the Plaintiff in the above-
captioned matter, Murashea "Mike" Bovell.

2. I submit the within Declaration with annexed exhibits in opposition to
Defendants' Motion for Summary Judgment, along with the accompanying Memorandum of
Law and Local Rule 56.1 Counterstatement of Facts.

3. Annexed hereto as Exhibit 1 and 1(b) is the Deposition of Murashea Bovell, Parts
1 and 2.

4. Annexed hereto as Exhibit 2 is a 2010 Transfer Order to the Detective Division.

5. Annexed hereto as Exhibit 3 is a 2011 Transfer Order from the Detective Division.
6. Annexed hereto as Exhibit 4 is a 2011 Transfer Order to the Detective Division.
7. Annexed hereto as Exhibit 5 is Sgt. Fegan's Transfer Order to the Detective Division.
8. Annexed hereto as Exhibit 6 is Plaintiff's July 2013 MV-5 re: Transfer from the Detective Division.
9. Annexed hereto as Exhibit 7 is a list of Plaintiff's Assignments.
10. Annexed hereto as Exhibit 8 is Plaintiff's December 2013 MV-5 re: Transfer from the Detective Division.
11. Annexed hereto as Exhibit 9 are the Detective Promotions with time calculations.
12. Annexed hereto as Exhibit 10 is the Declaration of Murashea Bovell.
13. Annexed hereto as Exhibit 11 is Plaintiff's MV-5 re: Chronic Sick Write-up.
14. Annexed hereto as Exhibit 11(b) is Captain Hastings' Memo re: Plaintiff's Chronic Sick Disciplinary.
15. Annexed hereto as Exhibit 12 is Sgt. Wuttke's Chronic Sick Write-up of Plaintiff.
16. Annexed hereto as Exhibit 13 is Sgt. Wuttke's recommendation re: Plaintiff's Chronic Sick Disciplinary.
17. Annexed hereto as Exhibit 14 is Captain Goldman's Memo re: Plaintiff's Chronic Sick Disciplinary.
18. Annexed hereto as Exhibit 15 is the Deposition of Sgt. Jennifer Carpenter.
19. Annexed hereto as Exhibit 16 is the Declaration of Det. Patrick Jean-Jerome.
20. Annexed hereto as Exhibit 17 is the Deposition of Sgt. Robert Wuttke.

21. Annexed hereto as Exhibit 18 is Plaintiff's April 2014 Performance Evaluation.
22. Annexed hereto as Exhibit 19 is Plaintiff's Amended Performance Evaluation.
23. Annexed hereto as Exhibit 20 is Plaintiff's Appeal of his April 2014 Performance Evaluation.
24. Annexed hereto as Exhibit 21 is Plaintiff's Written Complaint to Human Resources Commissioner, Judy Williams.
25. Annexed hereto as Exhibit 22 are the letters to various officers assigning their 207-c cases to Disability Management Associates.
26. Annexed hereto as Exhibit 23 are the Personnel Orders for 2011-2015.
27. Annexed hereto as Exhibit 24 is the MVPD Policies for Confidential Informants.
28. Annexed hereto as Exhibit 25 is Plaintiff's EEOC Complaint.
29. Annexed hereto as Exhibit 26 is Plaintiff's Second Letter to the EEOC, Investigator Douglas.
30. Annexed hereto as Exhibit 27 are the additional documents sent by Plaintiff to the EEOC.
31. Annexed hereto as Exhibit 28 is the letter to Plaintiff assigning Disability Management Associates to his 207-c claim.
32. Annexed hereto as Exhibit 29 is defendant Goldman's March 2015 letter to Plaintiff.
33. Annexed hereto as Exhibit 30 is Plaintiff's email to Goldman on March 6, 2015.
34. Annexed hereto as Exhibit 31 is counsel's letter to the Department in June 2015.
35. Annexed hereto as Exhibit 32 is Goldman's June 15, 2015 letter to Plaintiff.

36. Annexed hereto as Exhibit 33 is counsel's written response to Goldman's June 15, 2015 letter.

37. Annexed hereto as Exhibit 34 is counsel's letter regarding Deputy Commissioner Burke's conflict and request for independent hearing officer.

38. Annexed hereto as Exhibit 35 is Dr. Bansal's preliminary second opinion re: Plaintiff's knees and fitness-for-duty.

39. Annexed hereto as Exhibit 36 is Dr. Jozek Debiec's medical excuse exempting Plaintiff from returning to work.

40. Annexed hereto as Exhibit 37 is the Deposition of Dr. Anthony Maddalo.

Dated: July 25, 2017
Scarsdale, New York

THE BELLANTONI LAW FIRM, PLLC
Attorneys for Plaintiff

By: _____/s_____
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